



General Assembly

**Substitute Bill No. 5299**

February Session, 2022



**AN ACT INCREASING THE AGE FOR ELIGIBILITY FOR THE  
POSTSECONDARY EDUCATION FUNDING PROGRAM OFFERED BY  
THE DEPARTMENT OF CHILDREN AND FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2022*) (a) As used in this section:
- 2 (1) "Department" means the Department of Children and Families;
- 3 (2) "Post-secondary education program" means any program that  
4 leads to an academic degree or certification in a vocation or employment  
5 training; and
- 6 (3) "Post-secondary education funding program" means the program  
7 offered by the department under which it funds the post-secondary  
8 education of a youth who is committed to the department at the age of  
9 eighteen or younger and meets the requirements established by the  
10 department in its policies and regulations.
- 11 (b) The Commissioner of Children and Families shall amend the  
12 department policies and regulations regarding the post-secondary  
13 education funding program to (1) increase the age until which a youth  
14 can voluntarily agree to receive and qualify for services and funding  
15 from the department under the post-secondary education funding

16 program from twenty-one to twenty-six, and (2) increase the age until  
17 which a youth who is enrolled in a post-secondary education program  
18 and continues to meet the requirements established by the department  
19 is eligible for funding to complete such post-secondary education  
20 program under the post-secondary education funding program from  
21 twenty-three to twenty-six.

22 Sec. 2. Subdivisions (4) and (5) of subsection (j) of section 46b-129 of  
23 the 2022 supplement to the general statutes are repealed and the  
24 following is substituted in lieu thereof (*Effective July 1, 2022*):

25 (4) The commissioner shall be the guardian of such child or youth for  
26 the duration of the commitment, provided the child or youth has not  
27 reached the age of eighteen years, or until another guardian has been  
28 legally appointed, and in like manner, upon such vesting of the care of  
29 such child or youth, such other public or private agency or individual  
30 shall be the guardian of such child or youth until such child or youth  
31 has reached the age of eighteen years or, in the case of a child or youth  
32 (A) in full-time attendance in a secondary school, a technical education  
33 and career school, a college or a state-accredited job training program,  
34 until such child or youth has reached the age of twenty-one years or  
35 until another guardian has been legally appointed, or (B) receiving  
36 services and funding from the post-secondary education funding  
37 program, as defined in section 1 of this act, until such child or youth has  
38 reached twenty-six years of age or until another guardian has been  
39 legally appointed. The commissioner may place any child or youth so  
40 committed to the commissioner in a suitable foster home or in the home  
41 of a fictive kin caregiver, relative caregiver, or in a licensed child-caring  
42 institution or in the care and custody of any accredited, licensed or  
43 approved child-caring agency, within or without the state, provided a  
44 child shall not be placed outside the state except for good cause and  
45 unless the parents or guardian of such child are notified in advance of  
46 such placement and given an opportunity to be heard, or in a receiving  
47 home maintained and operated by the commissioner. When placing  
48 such child or youth, the commissioner shall provide written notification

49 of the placement, including the name, address and other relevant  
50 contact information relating to the placement, to any attorney or  
51 guardian ad litem appointed to represent the child or youth pursuant to  
52 subsection (c) of this section. The commissioner shall provide written  
53 notification to such attorney or guardian ad litem of any change in  
54 placement of such child or youth, including a hospitalization or respite  
55 placement, and if the child or youth absconds from care. The  
56 commissioner shall provide such written notification not later than ten  
57 business days prior to the date of change of placement in a  
58 nonemergency situation, or not later than two business days following  
59 the date of a change of placement in an emergency situation. In placing  
60 such child or youth, the commissioner shall, if possible, select a home,  
61 agency, institution or person of like religious faith to that of a parent of  
62 such child or youth, if such faith is known or may be ascertained by  
63 reasonable inquiry, provided such home conforms to the standards of  
64 the commissioner and the commissioner shall, when placing siblings, if  
65 possible, place such children together. At least ten days prior to  
66 transferring a child or youth to a second or subsequent placement, the  
67 commissioner shall give written notice to such child or youth and such  
68 child or youth's attorney of said commissioner's intention to make such  
69 transfer, unless an emergency or risk to such child or youth's well-being  
70 necessitates the immediate transfer of such child and renders such  
71 notice impossible. Upon the issuance of an order committing the child  
72 or youth to the commissioner, or not later than sixty days after the  
73 issuance of such order, the court shall determine whether the  
74 department made reasonable efforts to keep the child or youth with his  
75 or her parents or guardian prior to the issuance of such order and, if  
76 such efforts were not made, whether such reasonable efforts were not  
77 possible, taking into consideration the child's or youth's best interests,  
78 including the child's or youth's health and safety.

79 (5) A youth who is committed to the commissioner pursuant to this  
80 subsection and has reached eighteen years of age may remain in the care  
81 of the commissioner, by consent of the youth and provided (A) the  
82 youth has not reached [the age of] twenty-one years of age, if the youth

